

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
RC PETITION

DO NOT WRITE IN THIS SPACE	
Case No. 5-RC-205598	Date Filed 9/5/17

INSTRUCTIONS: Unless e-Filed using the Agency's website, www.nlr.gov, submit an original of this Petition to an NLRB office in the Region in which the employer concerned is located. The petition must be accompanied by both a showing of interest (see 6b below) and a certificate of service showing service on the employer and all other parties named in the petition of: (1) the petition; (2) Statement of Position form (Form NLRB-505); and (3) Description of Representation Case Procedures (Form NLRB 4812). The showing of interest should only be filed with the NLRB and should not be served on the employer or any other party.

1. PURPOSE OF THIS PETITION: RC-CERTIFICATION OF REPRESENTATIVE - A substantial number of employees wish to be represented for purposes of collective bargaining by Petitioner and Petitioner desires to be certified as representative of the employees. The Petitioner alleges that the following circumstances exist and requests that the National Labor Relations Board proceed under its proper authority pursuant to Section 9 of the National Labor Relations Act.

2a. Name of Employer Paragon Systems, INC		2b. Address(es) of Establishment(s) involved (Street and number, city, State, ZIP code) 13655 Dulles Technology Drive, Suite 100, Herndon, VA 20171	
3a. Employer Representative - Name and Title Laura M. Hagan - Vice President/General Counsel		3b. Address (If same as 2b - state same) Same	
3c. Tel. No. 865-266-0383	3d. Cell No. 865-266-0383	3e. Fax No. 703-579-1576	3f. E-Mail Address lhagan@parasys.com
4a. Type of Establishment (Factory, mine, wholesaler, etc.) Security Company		4b. Principal product or service Physical Security Services	
5b. Description of Unit Involved Included: All uniformed officers of the unit at 400 Maryland Avenue, SW, Washington DC and 550 12th Street, NW, Washington DC. Excluded: All Lieutenants, Captains, Majors and non-uniformed Administrative Employees.		5a. City and State where unit is located: Washington, DC	
		6a. No. of Employees in Unit: 50	
		6b. Do a substantial number (30% or more) of the employees in the unit wish to be represented by the Petitioner? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	

Check One: ☐ 7a. Request for recognition as Bargaining Representative was made on (Date) _____ and Employer declined recognition on or about _____ (Date) (If no reply received, so state).
☐ 7b. Petitioner is currently recognized as Bargaining Representative and desires certification under the Act.

8a. Name of Recognized or Certified Bargaining Agent (If none, so state). National League Of Justice and Security Professionals		8b. Address P.O.Box 1220, Bowie, MD 20718	
8c. Tel. No. 503-544-3257	8d. Cell No. 503-544-3257	8e. Fax No. 703-569-2379	8f. E-Mail Address rdmikell@aol.com
8g. Affiliation, if any NA		8h. Date of Recognition or Certification 08/31/2017	

9. Is there now a strike or picketing at the Employer's establishment(s) involved? NA If so, approximately how many employees are participating? NA
(Name of labor organization) NA, has picketed the Employer since (Month, Day, Year) NA.

10. Organizations or individuals other than Petitioner and those named in items 8 and 9, which have claimed recognition as representatives and other organizations and individuals known to have a representative interest in any employees in the unit described in item 5b above. (If none, so state)
NA

10a. Name	10b. Address	10c. Tel. No.	10d. Cell No.
		10e. Fax No.	10f. E-Mail Address

11. Election Details: If the NLRB conducts an election in this matter, state your position with respect to any such election.

11a. Election Type: ☐ Manual ☒ Mail ☐ Mixed Manual/Mail

11b. Election Date(s): **11c. Election Time(s):** **11d. Election Location(s):**

12a. Full Name of Petitioner (including local name and number)
Fraternity of American Protective Officers

12b. Full name of national or international labor organization of which Petitioner is an affiliate or constituent (if none, so state)
None

12c. Tel. No. (b) (6), (b) (7)(C)	12d. Cell No. (b) (6), (b) (7)(C)	12e. Fax No. (b) (6), (b) (7)(C)	12f. E-Mail Address (b) (6), (b) (7)(C)
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13. Representative of the Petitioner who will accept service of all papers for purposes of the representation proceeding.

13a. Name and Title (b) (6), (b) (7)(C) **13b. Address (street and number, city, state, and ZIP code)** (b) (6), (b) (7)(C)

13c. Tel. No. (b) (6), (b) (7)(C)	13d. Cell No. (b) (6), (b) (7)(C)	13e. Fax No. (b) (6), (b) (7)(C)	13f. E-Mail Address (b) (6), (b) (7)(C)
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I declare that I have read the above petition and that the statements are true to the best of my knowledge and belief.

Name (Print) (b) (6), (b) (7)(C)	Signature (b) (6), (b) (7)(C)	Title (b) (6), (b) (7)(C)	Date 09/04/2017
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WILLFUL FALSE STATEMENTS

PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
STIPULATED ELECTION AGREEMENT

Paragon Systems, Inc.

Case 05-RC-205598

The parties **AGREE AS FOLLOWS:**

1. PROCEDURAL MATTERS. The parties waive their right to a hearing and agree that any notice of hearing previously issued in this matter is withdrawn that the petition is amended to conform to this Agreement, and that the record of this case shall include this Agreement and be governed by the Board's Rules and Regulations

2. COMMERCE. The Employer is engaged in commerce within the meaning of Section 2(6) and (7) of the National Labor Relations Act and a question affecting commerce has arisen concerning the representation of employees within the meaning of Section 9(c)

The Employer, Paragon Systems Inc a corporation with an office and place of business in Washington, DC, is engaged in the business of providing security services to the United States Government including the Department of Education, currently located in Washington DC In conducting its operations during the 12 month period ending August 31, 2017 the Employer performed services valued in excess of \$50 000 in States outside the District of Columbia

3. LABOR ORGANIZATIONS. Fraternity of American Protective Officers (FAPO) and National League of Justice and Security Professionals (NLJSP) is an organization in which employees participate and which exists for the purpose in whole or in part of dealing with employers concerning grievances labor disputes wages rates of pay, hours of employment or conditions of work and is a labor organization within the meaning of Section 2(5) of the Act

The Fraternity of American Protective Officers (FAPO) is qualified to represent the unit within the meaning of Section 9(b)(3) of the Act

The National League of Justice and Security Professionals (NLJSP) is qualified to represent the unit within the meaning of Section 9(b)(3) of the Act

4. ELECTION. The election will be conducted by United States mail The mail ballots will be mailed to employees employed in the appropriate collective-bargaining unit from the office of the National Labor Relations Board Region 05 Washington Resident Office 1015 Half Street SE, Washington D C 20570-0001 at 3 00 p m on **Thursday, September 28, 2017** Voters must sign the outside of the envelope in which the ballot is returned Any ballot received in an envelope that is not signed will automatically be voided

Those employees who believe they are eligible to vote and did not receive a ballot in the mail by **Thursday, October 5, 2017**, should communicate immediately with the National Labor Relations Board by either calling the Region 5 Resident Office at (202) 208-3000 or our national toll-free line at 1-866-667-NLRB (1-866-667-6572)

All ballots will be commingled and counted at the Region 5 Resident Office 1015 Half Street SE Washington DC 20570-0001 on **Thursday, October 19, 2017** at 3 00 p m In order to be valid and counted the returned ballots must be received in the Region 5 Resident Office prior to the counting of the ballots

5. UNIT AND ELIGIBLE VOTERS. The following unit is appropriate for the purposes of collective bargaining within the meaning of Section 9(b) of the Act

Initials LH

All full-time and regular part-time uniformed officers and sergeants employed by the Employer at the Department of Education, currently located at 400 Maryland Avenue SW, Washington D C and 550 12th Street NW Washington, D C but excluding all Lieutenants Captains Majors professional employees office clerical employees managers and supervisors as defined in the Act '

Those eligible to vote in the election are employees in the above unit who were employed during the **payroll period ending September 7** including employees who did not work during that period because they were ill on vacation or were temporarily laid off

Employees engaged in any economic strike who have retained their status as strikers and who have not been permanently replaced are also eligible to vote In addition employees engaged in an economic strike which commenced less than 12 months before the election date who have retained their status as strikers but who have been permanently replaced as well as their replacements are eligible to vote Employees who are otherwise eligible but who are in the military services of the United States may vote if they appear in person at the polls or by mail as described above in paragraph 4

Ineligible to vote are (1) employees who have quit or been discharged for cause after the designated payroll period for eligibility (2) employees engaged in a strike who have been discharged for cause since the commencement thereof and who have not been rehired or reinstated before the election date and (3) employees engaged in an economic strike which began more than 12 months before the election date who have been permanently replaced

6. VOTER LIST. Within 2 business days after the Regional Director has approved this Agreement the Employer must provide to the Regional Director and all of the other parties a voter list of the full names work locations shifts job classifications and contact information (including home addresses available personal email addresses and available personal home and cellular telephone numbers) of all eligible voters The Employer must also include in a separate section of that list the same information for those individuals whom the parties have agreed should be permitted to vote subject to challenge The list must be filed in common everyday electronic file formats that can be searched Unless otherwise agreed to by the parties the list must be provided in a table in a Microsoft Word file (doc or docx) or a file that is compatible with Microsoft Word (doc or docx) The first column of the list must begin with each employee s last name and the list must be alphabetized (overall or by department) by last name The font size of the list must be the equivalent of Times New Roman 10 or larger That font does not need to be used but the font must be that size or larger When feasible, the list must be filed electronically with the Regional Director and served electronically on the parties The Employer must file with the Regional Director a certificate of service of the list on all parties

7. THE BALLOT. The Regional Director in his or her discretion will decide the language(s) to be used on the election ballot All parties should notify the Region as soon as possible of the need to have the Notice of Election and/or ballots translated

The question on the ballot will be Do you wish to be represented for collective-bargaining purposes by Fraternity of American Protective Officers (FAPO) National League of Justice and Security Professionals (NLJSP) or neither? The choices on the ballot will appear as follows reading left to right or top to bottom

First National League of Justice and Security Professionals (NLJSP)
Second. Fraternity of American Protective Officers (FAPO)
Third: Neither

Initials LH

Any labor organization may have its name removed from the ballot if more than one labor organization is on the ballot and a timely written request is approved by the Regional Director

8. NOTICE OF ELECTION. The Regional Director in his or her discretion will decide the language(s) to be used on the Notice of Election. The Employer must post copies of the Notice of Election in conspicuous places including all places where notices to employees in the unit are customarily posted, at least three (3) full working days prior to 12 01 a.m. of the day of the election. The Employer must also distribute the Notice of Election electronically if the Employer customarily communicates with employees in the unit electronically. Failure to post or distribute the Notice of Election as required shall be grounds for setting aside the election whenever proper and timely objections are filed.

9. NOTICE OF ELECTION ONSITE REPRESENTATIVE. The following individual will serve as the Employer's designated Notice of Election onsite representative: Jeremy J. Faubér, Director of Security Operations, National Capitol Region, Paragon Systems Inc., 7529 Standish Place, Suite 320, Derwood, MD 20855, jfauber@parasys.com, 240-912-7076 (O), 202-306-9071 (C), 202-403-3896 (F).

10. ACCOMMODATIONS REQUIRED. All parties should notify the Region as soon as possible of any voters, potential voters, or other participants in this election who have handicaps falling within the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and 29 C.F.R. 100.503, and who in order to participate in the election need appropriate auxiliary aids, as defined in 29 C.F.R. 100.503, and request the necessary assistance.

11. OBSERVERS. Each party may station an equal number of authorized, nonsupervisory-employee observers at the polling places to assist in the election, to challenge the eligibility of voters, and to verify the tally.

12. TALLY OF BALLOTS. Upon conclusion of the election, the ballots will be counted and a tally of ballots prepared and immediately made available to the parties.

13. POSTELECTION AND RUNOFF PROCEDURES. All procedures after the ballots are counted shall conform with the Board's Rules and Regulations.

Paragon Systems, Inc.
(Employer)

By [Signature] 9/12/2017
(Name) (Date)

Fraternity of American Protective Officers
(FAPO)
(Petitioner)

By /s/ (b) (6), (b) (7)(C) 9/12/17
(Name) (Date)

National League of Justice and Security
Professionals (NLJSP)

(Union)
By /s/ Ronald A. Mikell 9/12/17
(Name) (Date)

Initials LH

Recommended:



9/13/17

BISI DEAN Field Examiner (Date)

Date approved:

September 13, 2017

/s/ Charles L. Posner

Regional Director, Region 05

National Labor Relations Board

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

Date Filed
Sep 5, 2017

PARAGON SYSTEMS, INC.
Employer
and
FRATERNITY OF AMERICAN PROTECTIVE OFFICERS
(FAPO)
Petitioner
and
NATIONAL LEAGUE OF JUSTICE AND SECURITY
PROFESSIONALS
Union

Case No. 5-RC-205598

Date Issued ~~01/24/18~~ 01/24/18

City Washington

State DC

Type of Election:
(Check one:)

(If applicable check
either or both:)

- ☒ Stipulation
☐ Board Direction
☐ Consent Agreement
☐ RD Direction
Incumbent Union (Code)

- ☐ 8(b) (7)
☒ Mail Ballot

TALLY OF BALLOTS

The undersigned agent of the Regional Director certifies that the results of tabulation of ballots case in the election held in the above case, and concluded on the date indicated above, were as follows:

- | | |
|---|----|
| 1. Approximate number of eligible voters | 72 |
| 2. Number of Void ballots | 1 |
| 3. Number of Votes cast for
PETITIONER | 1 |
| 4. Number of Votes cast for
UNION | 1 |
| 5. Number of Votes cast for | |
| 6. Number of Votes cast against participating labor organization(s) | 0 |
| 7. Number of Valid votes counted (sum 3, 4, 5, and 6) | 2 |
| 8. Number of challenged ballots | 21 |
| 9. Number of Valid votes counted plus challenged ballots (sum of 7 and 8) | 23 |
| 10. Challenges are (not) sufficient in number to affect the results of the election. | |
| 11. A majority of the valid votes counted plus challenged ballots (Item 9) has (not) been cast for | |

For the Regional Director - Region 5

Mark V.

The undersigned acted as authorized observers in the counting and tabulating of ballots indicated above. We hereby certify that the counting and tabulating were fairly and accurately done, that the secrecy of the ballots was maintained, and that the results were as indicated above. We also acknowledge service of this tally.

For EMPLOYER

NOT PRESENT

For PETITIONER

(b) (6), (b) (7)(C)

For UNION

[Signature]

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

PARAGON SYSTEMS, INC.
Employer
and
FRATERNITY OF AMERICAN PROTECTIVE OFFICERS
(FAPO)
Petitioner
and
NATIONAL LEAGUE OF JUSTICE AND SECURITY
PROFESSIONALS
Union

Case No. 05-RC-205598

Date Issued 05/02/2018

TYPE OF ELECTION: (Check one:)

- ☐ Consent Agreement
☒ Stipulation
☐ Board Direction
☐ RD Direction

(Also check box below
where appropriate)

☐ 8(b) (7)

REVISED TALLY OF BALLOTS

(Counting of Challenged Ballots)

The undersigned agent of the Regional Director certifies that the results of counting the challenged ballots directed to be counted by the _____ on _____ and the addition of these ballots to the original Tally of Ballots, executed on _____, were as follows:

	Original Tally	Challenged Ballots Counted	Final Tally
Approximate number of eligible voters	72		
Number of Void ballots	1	-	1
Number of Votes cast for PETITIONER	1	21	22
Number of Votes cast for UNION	1	0	1
Number of Votes cast for			
Number of Votes cast against participating labor organization(s)	0	2	2
Number of Valid votes counted	2		2
Number of undetermined challenged ballots	21		21
Number of Valid votes counted plus challenged ballots			23
Number of Sustained challenges (voters ineligible)			2

The remaining undetermined challenged ballots, if any, shown in the Final Tally column are not sufficient to affect the results of the election. A majority of the valid votes plus challenged ballots as shown in the Final Tally column has not been cast for _____

Fraternity of American Protective Officers (FAPO)

For the Regional Director - Region 5

[Signature]

The undersigned acted as authorized observers in the counting and tabulating of ballots indicated above. We hereby certify that this counting and tabulating, and the compilation of the Final Tally, were fairly and accurately done, and that the results were as indicated above. We also acknowledge service of this Tally.

For EMPLOYER NOT PRESENT

For UNION *[Signature]*

N L J S I
PRESIDENT

For PETITIONER

(b) (6), (b) (7)(C)

For _____

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 5**

Paragon Systems, Inc. Employer and Fraternity of American Protective Officers (FAPO) Petitioner and National League of Justice and Security Professionals (NLJSP) Intervenor	Case 05-RC-205598
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TYPE OF ELECTION: STIPULATED

CERTIFICATION OF REPRESENTATIVE

An election has been conducted under the Board's Rules and Regulations. The Tally of Ballots shows that a collective-bargaining representative has been selected. No timely objections have been filed.

As authorized by the National Labor Relations Board, it is certified that a majority of the valid ballots has been cast for

Fraternity of American Protective Officers (FAPO)

and that it is the exclusive collective-bargaining representative of the employees in the following appropriate unit:

Unit: All full-time and regular part-time uniformed officers and sergeants employed by the Employer at the Department of Education, currently located at 400 Maryland Avenue, S.W., Washington DC and 550 12th Street, N.W., Washington, DC but excluding all Lieutenants, Captains, Majors, professional employees, office clerical employees, managers and supervisors as defined in the Act.



May 10, 2018

/s/ Sean R. Marshall

Sean R. Marshall, Acting Regional Director
National Labor Relations Board, Region 5
Bank of America Center – Tower II
100 South Charles Street, Suite 600
Baltimore, MD 21201

Attachment: Notice of Bargaining Obligation